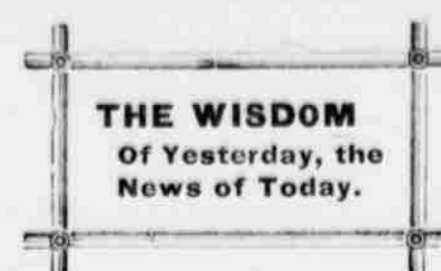


Hilo Tribune.



VOL. 11.

HILO, HAWAII, HAWAIIAN ISLANDS, TUESDAY, NOVEMBER 7, 1905.

No. 2.

BY AUTHORITY. BY AUTHORITY.

Warrants Lost.

The following Teachers Warrants have been lost:
No. 1615 issued to Miss Marion De Carmo.
No. 1616 issued to Miss Winifred Martin.
No. 1617 issued to Miss C. Delima.
Payment on the above has been stopped.

E. A. IRISH,
1-3 School Agent, Waiohino, Kau.

ATTORNEYS-AT-LAW.

Chas. M. LeBlond

ATTORNEY-AT-LAW

Hawaiian, Japanese, and Chinese Interpreters and Notary Public in Office.
Office: SEVERANCE BUILDING,
Opposite Court House. HILO, HAWAII

CASTLE RIDGWAY THOS. C. RIDGWAY

Ridgway & Ridgway

ATTORNEYS-AT-LAW
Solicitors of Patents General Law Practice
HILO, HAWAII.
Notary Public in Office.
OFFICE: Tribune Building.

I. E. RAY

ATTORNEY-AT-LAW
AND NOTARY PUBLIC

Waianuenue St. Hilo, Hawaii

J. L. Kaulukou

ATTORNEY-AT-LAW

OFFICE IN TRIBUNE BUILDING
HILO, HAWAII

REAL ESTATE, ETC.

F. S. LYMAN

AGENT

FIRE, ACCIDENT AND MARINE
INSURANCE

Waianuenue Street, Hilo, Hawaii

Henry Deacon

AGENT FOR

HAWAIIAN FERTILIZER CO.

Limited.

Collector of Rents for Waiakea Mill Co.
General Collecting Solicited
and Returns Promptly Made.
Office with Theo. H. Davies & Co., Ltd.
Waianuenue and Bridge Sts. Hilo.

W. H. BEERS

INTERPRETER AND

TRANSLATOR

(English and Hawaiian)

Commission and Business Agent.

Will Act as Administrator, Guardian and
Executor. Rents and Bills Collected.
Office with I. E. Ray. Telephone 146

Akau's Restaurant.

To be opened **Saturday, Sep-
tember 16.** Opposite Fish Market.
Short Orders a Specialty. Orders for Ice
Cream and Cake attended to promptly
and delivered to any part of City.
Telephone No. 17.

ESTABLISHED 1898.

BISHOP & CO.

Bankers.

HONOLULU - OAHU, H. I.

Transact a General Banking and Ex-
change business
Commercial and Traveller's Letters of
Credit issued, available in all the principal
cities of the world.

Special attention given to the business
entrusted to us by our friends of the other
Islands, either as Deposits, Collections
Insurance or requests for Exchange.

FURNISHED ROOMS

BY DAY, WEEK OR MONTH.
Neat and newly fitted. Centrally and
pleasantly located on

**PITMAN STREET
NEAR WAIANUENUE ST.**

Facing on Court House and Hilo Hotel
Parks. A quiet, pleasant retreat.
Terms Reasonable.

C. F. BRADSHAW

Proprietor.

Notice to Tax Payers.

Tax payers are hereby notified that all
taxes are due and payable. After Nov-
ember 15th next ten per cent will be
added to all income and property taxes.
N. C. WILLFONG,
Assessor Third Taxation Division,
Hilo, Hawaii, Oct. 20, 1905.

Notice.

The business of the Hilo Butcher Shop,
heretofore managed by Hop Ick Com-
pany, has been sold to Wing Lee. The
business will be carried on in the same
name and place. All persons indebted
to the Hilo Butcher Shop up to Novem-
ber 1st are requested to make prompt
settlement, and all creditors must file
their claims within thirty days there-
after.

WING LEE.

Flower and Vegetable Seeds.

The Cox Seed Company of San Fran-
cisco have appointed the undersigned as
their local agent. Orders for seeds,
bulbs and plants solicited. Catalogues
and prices furnished on request.
ROBERT INNES LILLIE,
Hilo.

For Sale or Rent Cheap!

The Paly dwelling at 11-miles, Olaa,
with one to five acres of land. Luxuriant
fruits and flowers, an ideal home, and an
excellent place for dairy, poultry and
small fruits.

A. G. CURTIS,
Kurtistown, Hawaii.

Embroidery Lessons.

Classes in embroidery will be formed
upon reasonable terms. Classes meet
Mondays, Tuesdays and Thursdays.
Orders will also be taken for embroidery
and artistic needle work.
MRS. ELLA M. LOEBENSTEIN.

For Rent.

House on School Street, recently oc-
cupied by F. Souza. Apply to
R. A. LYMAN
or H. VICARS

To Shippers.

All freight sent to ships by our launches
will be charged to shippers unless accom-
panied by a written order from the cap-
tains of vessels.
30tf R. A. LUCAS & CO.

Lost.

A reward will be given for the return
of a gold cuff button bearing an Elk's
head.
TRIBUNE OFFICE.

NOTICE—Neither the Masters nor
Agent of vessels of the "Matson Line"
will be responsible for any debts con-
tracted by the crew. R. F. GUARD,
Agent.
Hilo, April 16, 1901

A. S. LeBaroff Gurney

AUCTIONEER

COMMISSIONS
PROMPTLY EXECUTED

FRONT STREET
OPPOSITE SPRECKELS' BUILDING

ALL KINDS OF

RUBBER GOODS

GOODYEAR RUBBER CO.

R. H. PEASE, President.
SAN FRANCISCO, CAL., U. S. A.

**PAY FOR THE BEST
IT'S CHEAPEST**

AND THAT'S THE CLASS OF WORK
EXECUTED BY

**CAMERON
THE PLUMBER**

FRONT ST., OP. SPRECKELS' BLOCK

THE SUPREME COURT SUSTAINS THE SHERIFF

(By Wireless to THE TRIBUNE.)

Latest Sugar Quotations.

San Francisco, Cal., Nov. 4.—96° Test Centrifugals, 3.50c; per
ton, \$70. 88° analysis beets, 8s. 3½d.; per ton, \$73.35.

Riot and Bloodshed Continue.

London, Eng., Nov. 2.—The situation in the Russian provinces is of
the gravest character. Today the populace of Odessa is at the mercy of
an armed rabble of 50,000. The Jews offer resistance. It is reported
that 2,000 persons have been killed and wounded.

St. Petersburg, Russia, Nov. 3.—An imperial ukase has been issued
organizing the Council of Ministers. Many political prisoners have
been freed on demands of the mobs.

Vienna, Austria, Nov. 3.—It is reported that the Emperor has decided
to grant universal suffrage.

Rhode Island Warship Beats Record.

Rockland, Me., Nov. 3.—In the trial trip of the battleship Rhode
Island a new record of 19.33 knots an hour was made.

Renewed Activity at Kilauea Crater.

Word comes from the Volcano House of the renewed activity of the
Kilauea crater. Dense smoke has been seen rolling up from Muka-
weoweo, and yesterday morning a party consisting of Embert M. Brown,
A. L. Williams and Mrs. H. G. Claxton made a special trip to the crater.
Three cones were found to have formed in the bottom of the pit, two of
which were throwing up continuous jets of live lava and ashes, while
the third was emitting a steady stream of black smoke.

There is a lava flow from the crater nearest the Puna side, which is
spreading over the floor of the pit. Mr. Brown who has seen the Kilauea
three times before during the year says the present exhibition is the
grandest yet witnessed.

Kukaiau Mill Is Burned.

Friday morning between 3 and 4 o'clock fire was discovered by the
night watchman in the engine room of Kukaiau Mill, and before he
could summon help to assist him in extinguishing the flames the entire
building was afire. Fortunately one of the boilers was under a small
pressure of steam and the night watchman vigorously blew the mill
whistle, summoning the laborers nearby, who after diligent efforts suc-
ceeded in saving the vacuum pans, which occupied another building
adjacent.

The engine and boiler house was quickly consumed owing to the oil
and grease saturating the timbers, but the machinery was found unin-
jured. The loss is estimated to be about \$5,000, fully covered by in-
surance. Preparations are being made for rebuilding and Contractor J.
C. Carter of Hilo is on the scene making an estimate of the cost.

Flatly Contradicts the Governor.

In answer to Governor Carter's statement to the Hilo Chamber of
Commerce that the last legislature was at fault in not providing for
corporation income taxes, Representative Chas. A. Rice writes an open
letter to the Garden Island, which flatly contradicts the Governor.
Lihue, Kauai, October 26, 1905.

Editor Garden Island.

Sir: I have read the letter written by Governor G. R. Carter to the
Hilo Chamber of Commerce, dated October 21st, in which he states that
the members of the last legislature are entirely to blame for the trouble
the outside counties find themselves in, regarding their just share of the
corporation income taxes.

Governor Carter states that the outside members did not try to adjust
the law so as to prevent any dispute about the share of the outside
counties in the income taxes, and by their indifference practically
agreed that Oahu County should have all income taxes.

I deem it my duty as a member of the last legislature to take issue
on his statement of fact.

The outside members all wanted this matter adjusted so as to make all
dispute as to where the taxes should go, impossible, and to that end in-
troduced the following amendment to the income tax act and passed the
same through the House, to-wit:

"Section 9. Where Tax Payable. The taxes on incomes imposed by
this chapter shall be payable in the Taxation Division in which the per-
son has his legal residence and in the case of a corporation in the Taxa-
tion Division where the property of the corporation or the major part
thereof is located."

This amendment was passed through the House by the unanimous
vote of all outside members and was opposed by the unanimous vote of
all members from Oahu.

This amendment was killed in the Senate by the interference of the
Treasurer and the Governor, who represented that such an amendment
might invalidate the constitutionality of the income tax act, and thus
defeat a good law which the Supreme Court had upheld in its former
decision.

Governor Carter stated at that time, before the Senate killed the am-
endment, that he would veto any bill containing this amendment.

Governor Carter and Treasurer Campbell sent me to the Execu-
tive Chamber to consult with them in regard to this amendment which I
had introduced, after the amendment had passed in the House, on the
same day, and urged me to secure a reconsideration of the bill and have
this amendment withdrawn, which I declined to do.

After the Senate had acted and the time came for the appointment of
the conference committee from the House to confer with the senate
committee as to whether the House would yield this amendment, Treas-
urer Campbell, who had prepared the original bill, again came to me to
induce us to drop the amendment.

At that time I conferred with representatives from the outside islands
regarding the matter, and stated to them what Treasurer Campbell had
told me, "that in future he would try to have all the corporation income
taxes collected in conformity with the spirit of the amendment, so as to
give the counties their just shares" and acting upon this promise of the
Treasurer, and the view of a leading member of the Judiciary committee
that under the law, as it stood, the outside counties could get their
share, anyway, we conceded to the administration's request and dropped
the amendment.

Now, does the Governor mean to say, that the outside members of the
legislature raised no objection to an unjust appropriation of the income
tax by the Administration for the benefit of the County of Oahu?

Hawaii, Maui and Kauai members of the House did all in their power
to protect their constituents and secure for them their just share of the
taxes and would have succeeded in the legislature but for the interfer-
ence and lobbying of the Administration, and its fair, false promises.

Yours very truly,

CHAS. A. RICE,
Representative from Kauai Sixth Representative District.

Honolulu, Nov. 6.—The Supreme Court has decided against the out-
side counties on the question of the income tax.

Judge Parsons is reversed and appointments of county sheriffs need
not be approved by supervisors.

[The above decisions refer to the three test cases which have been be-
fore the Territorial Supreme Court on the construction of the County
Act. The first case, known as the income tax case, was a mandamus
proceeding brought before Judge Hardy in the Fifth Circuit of Kauai to
compel Tax Collector Holt to pay over to the several counties the income
taxes of corporations whose principal sources of income are derived
from plantations or other interests within the respective counties. Under
the county act all such income taxes are a Territorial perquisite for the
exclusive use of the county of Oahu. The County of Maui and Molokai
joined in the suit brought before Judge Hardy and appealed to the
Supreme Court.

In the other cases, it is gathered from the above dispatch, that Judge
Parsons was reversed only in one case, namely, the quo warranto pro-
ceedings brought by Supervisor John T. Moir against Harry A. Knell,
questioning his authority to exercise the powers of a police officer by
virtue of appointment of Sheriff Keolauui. On this question, Judge
Parson's decision construed Section 1104 of the County Act to give the
right to the Sheriff to appoint police officers subject to the approval of
the Board of Supervisors. Judge Parsons is reversed.

Attorney C. M. LeBlond received a wireless message later in the after-
noon from Judge Stanley, who argued the two Hawaii cases before the
Supreme Court, as follows:

LEBLOND, Hilo:

Have won both cases before Supreme Court.

STANLEY.

This intimates that the first decision of Judge Parsons on the cele-
brated Lyman mandamus case against Auditor Maguire was sustained.
This latter case was a decision upon a writ of mandamus sued out by
Norman K. Lyman to compel Auditor Maguire to pay Lyman's salary
as Sheriff's Clerk for the month of July, basing his claim thereto upon
an appointment by the Board of Supervisors. This case raised only a
special phase of the question whether the Sheriff had the right to ap-
point subordinates. The Sheriff and his decision has been sustained by the Su-
preme Court.

The question that now arises in the mind of the average citizen and
taxpayer is as to whom the set of police officers appointed by the Super-
visors, shall look to be paid for the four months' services. Two sets of
police officers have been doing duty in the County of Hawaii since July
1st, when the County Act went into effect. If Keolauui's appointees
are the proper ones the others are not, but as has been suggested by
one legal gentleman the County will have to pay for both.]

Supervisors Asked to Further Jail Construction.

Road Engineer Gere has received a communication from M. M.
Jordau, by his attorney, stating that as the owner of the lease hold upon
which it is proposed to build the new Hilo jail, he will release the same
to the Territory for the sum of \$350.

This is a reduction of \$150 from the original price and below the
sum allowed him by the appraisers. The letter is as follows:

Dear Sir:—In reply to your verbal request of this date, as to what
would be the least amount my principal, M. M. Jordau, would take for
his leasehold interest and house at Pihonua, which includes part of
the new jail site, I would answer that having in view an amicable set-
tlement of the matter and not wishing to obstruct or delay the building
of the new jail in any manner whatsoever, my principal will take the
sum of three hundred and fifty dollars in full of his rights in the premises
and upon the payment of this sum he will surrender his lease etc., in
question.

I would call your attention to the fact that the Commission appointed
by your Department valued my Principal's interest at \$500.00.

Yours truly,

(Signed) G. F. AFFONSO,

Attorney in fact for M. M. Jordau.

Engineer Gere has turned the matter over to the Board of Supervisors
asking that body to further the construction of the Jail, which has been
delayed owing to the inability of the Superintendent of Public Works
and the leaseholder being able to agree upon a proper figure for the sur-
render of the leasehold. C. E. Wright has expressed his willingness to
purchase the building now situated on the premises for \$100. This
leaves a balance of \$250 to be raised by popular subscription or by the
County. It is claimed by the government officials that the entire
amount of the appropriation has been exhausted in the payment of
architect fees and the award of the contract. The Supervisors are now
asked to make good the difference.

Registered at Volcano House.

Guests registered at the Volcano House for the week ending Novem-
ber 4th, are as follows: F. R. Conradt, Mrs. J. C. Moine, George
Desha, C. E. Wright, Dr. Holland, H. Vicars, John T. Moir, Wm.
McKay, W. H. C. Campbell, Hilo; Mrs. David Rutherford, Oakland,
Cal.; W. Silvire, Papaikou; H. G. Claxton, Honolulu; Mrs. G. W.
Jankins, G. W. Jankins, Papaikou; Embert M. Brown, Honolulu; Wm.
Grothers and wife, Paauhau; Mrs. H. F. Wichman, Honolulu; Regi-
nald Fursey, Honolulu; Frank Hime, Kailua; Mrs. C. J. Hutchins,
Mr. Waldron, A. A. Baymed, Honolulu; F. A. Birmingham, Mt.
View; Wm. Alexander, San Francisco; F. J. Hare, Honolulu; H. H.
James and wife, San Francisco; Miss Annie Morehead, Berkeley, Cal;
Geo. M. Robertson, Pahala.

English Ambassador to Japan.

London, Eng., Nov. 3.—Sir Claude Macdonald has been appointed
first British Ambassador to Tokio.

[The above appointment is significant as placing Japan on an equality
with the other world powers in the national family. The raising of the
diplomatic representative from England from minister to the dignity of
ambassador is a recognition of Japan's position among the nations.
Heretofore the post has been that of envoy extraordinary and minister
plenipotentiary.

Sir Claude M. Macdonald was the British Minister to Peking, China
during the boxer troubles. He gave shelter and protection to all Euro-
pean residents during the period of that siege. Subsequently he was
transferred by the Home Office to Tokio, Japan.]

Ship Dirigo In Distress.

San Francisco, Cal., Nov. 2.—The American Ship Dirigo from Phila-
delphia to Honolulu has put in port at Montevideo with heated cargo.

Washington, D. C., Nov. 3.—The British Ambassador presented
Prince Louis of Battenberg to President Roosevelt yesterday.